

PUBLIC MEETING -

Jim Janone - While it is still fresh about the marijuana, the State will be regulating a lot of this. You talked about a lot tonight, you are worried about a lot of stuff but I believe the State will address it. Do you know what the voter approval was when this was put on the ballot for Victory Gardens? 69.44% voted to approve just from Victory Gardens. They may want to open in a place like Hamilton Business Park. You can have a warehouse. If the town says no they don't want that type of business in here then it won't be in here. The State can't say we are going to put this type of business in here. It is up to the town. Think about what governing bodies did back when alcohol became legal. Is there any update on the school budget. They are having a Board of Ed meeting tonight.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

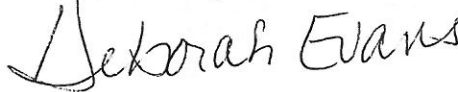
Attorney Feintuch said he believes we have to start an action against Dover Board of Ed. With the Commissioner of Education.

Authority was given to the Attorney to file paperwork with the Commissioner of Education - to file a petition. Motion made by Councilwoman Hedgepath, seconded by Councilwoman Montes and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Abstain
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

Submitted By:



Deborah Evans  
Borough Clerk

OLD BUSINESS CONTINUED:

DISCUSSION ON CANNABIS CONTINUED - Councilman Lorenzo said the fines should be higher. If they are making thousands of dollars a day then they can pay more. Fines are currently for the first offense \$250.00 . The second offense is \$500.00 .

Council agreed to have the fines increased to \$500 per day for the first offense and \$1,000 per day for the second offense and this is per violation. These are offenses not against the people but against the business.

The Attorney said this is for everyone to look over and make your comments. The Clerk said she has a lot of questions about her being the one that has to monitor all this stuff. If there are complaints, since your Clerk is the Administrator and she is here full time, then she is the one that this falls on.

Councilman Lorenzo said that no where in the Ordinance does it say that the Council is responsible for anything. The Attorney said the Council has to approve the license. Once you approve you have no role in this process. Council has no authority after you say it is ok for someone to come in and have this business. There is nothing in the legislation that says Council has the right to do anything. The Attorney said that if someone is making complaints then Debbe can suspend their license. This body meets every 2 weeks. What do you think should be done if something happens and Debbe can't do anything until Council meets again.

The Clerk said she has some questions. Page 5 #4 - showing proof of financial capability to open and operate an establishment. How would I know how much money an applicant needs to open a business like this? Good question, I will have to look into it. Same page #9 - The administrator evaluates all applicants and issue notification of award after consideration and evaluation. That should not be the Clerk it should be the Council. Also, the Clerk asked about the review panel of 3. Page 8 the review panel consists of Administrator, another administrative officer and someone from the State Police. Attorney said he will check this out also. The Clerk said page 9 #16. It says the Clerk will have this codified. The Council already turned down codification. I can't do that if there isn't an approval by Council to do so. The Attorney said it would just be put into the book.

The Mayor asked what will they be allowed to sell in the store? Paraphernalia. Pipes, papers, anything associated with the sale.

Councilman Lorenzo asked if they would be able to see regular tobacco? No, they have to have another type of license for that. The Attorney has a lot of information that he will send to the Clerk for the Council.

The Clerk asked about odor? What about a smoking room inside the building? Are they allowed to have that? The Mayor asked if we can have that removed from our Ordinance? That is like walking into the liquor store and saying you want to sample the liquor before you buy it. The State law says it is ok for that to happen on premise. The State would have to approve it. We don't want people outside smoking outside. You can't stop it the Attorney said. You can't stop someone from smoking marijuana in the street. Just like you can't stop someone from smoking a regular cigarette in the street. The Mayor said he didn't take that like what the Attorney is saying. It is legal. You can't do anything about it. The Mayor said if a town says no to a cannabis store, can people still walk up and down the streets smoking out in public? Yes. You can do an Ordinance prohibiting the sale of it in your town . The Mayor said so if a cop stops someone in their car because he smells marijuana they can't do anything? No, unless they have a lot . You have to look at this in the same way you look at cigarette smoking. Different from alcohol.

The Clerk asked what are the police thinking about all of this? I heard that a lot of towns aren't approving this at all because the police don't want to be a part of it. The Attorney said he feels the police are in favor of it because they are tired of making arrests , tying up the police, tying up the courts. The law is saying that cops can't use and can not have it in their body. They are the only ones this applies to. The Clerk asked about the work place? That is up to the workplace the attorney said. You can have this in your system as long as it doesn't affect your job.

Motion to open the meeting to the public by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

OLD BUSINESS CONTINUED:

ALARM PANELS AT FIREHOUSE AND BOROUGH HALL - Everyone has a copy of the proposal from Protective Measures. We have talked about this at other meetings.

Fire panel at Borough Hall is \$1,225 to install a 411 dialer and cell radio. Your monitoring will increase to \$49.00 per month to cover cell service.

Fire panel at Firehouse will be \$795. Your monitoring will increase to \$49.00 per month to cover cell service.

The Clerk said that we will be saving money by taking out the phone line at the firehouse and one phone line at Borough Hall will be gone which will be a savings.

Councilwoman Montes asked if we can't just put smoke detectors up there? We have smoke detectors. We need the monitoring so that someone will reach out to us and let us know what is going on. Right now the Mayor and I are getting 4 calls a day telling us the system is not working properly. This will hopefully correct all that and then the phone calls will stop unless it is a real emergency.

Councilwoman Montes asked why Dover doesn't do this it is their stuff up there. Yes, but it is our building. How much is the total cost? \$2,020. Then it is \$49 permonth for the cell lines. Councilman Glass said that right now we are paying \$65 for the phone lines in both places so you are saving money each month.

Motion was made to approve the work by Protective Measures for the firehouse and the Borough Hall. Motion made by Councilman Glass, seconded by Councilwoman Cheatham and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Abstain

FRANKLIN ROAD REPAVING PROJECT - The Clerk said that Leon met with Randolph for a pre construction meeting. Work should be starting the end of May. At one of our meetings we discussed the price of doing the inlets on the Boroughs side of Franklin Road. We had received a quote of \$10,000 to do the repair work. Leon said that was way too high.

I spoke to Randolph and then I asked Leon to speak with them to see if they would do the repair work for our side of Franklin. There are 3 inlets that need to be done. Randolph gave us a cost of \$1,000 per inlet.

Council agreed that this is a good price and they approved accepting the price from Randolph. All were in agreement.

DISCUSSION ON CANNABIS - The Clerk said that the Attorney gave us a draft Ordinance that everyone has a copy of.

The Attorney said there are alot of things that we have to consider. One is that we have to see if anyone is interested in opening a facility. We have to see the availability of space. Peoples desire to locate one in our town. Non refundable fees when applicant submits paperwork to us. For both retailer license and delivery license it will be a non refunable fee of \$5,000. Then there is an annual registration fee. the same amount for each of \$7,500. It is not in this Ordinance but we can add on 2% of what he sales are as money coming into the Borough. We would get this on the retail end only.

The Attorney said there are some towns that don't want any part of this. I went thrua list and a great number of towns don't want any part of this. What ever you do, it will be in effect for 5 years. If we give licenses they will be for 5 years also.

The Clerk asked if they are delivering to customers, will they have to have a special license for the vehicle? that would be up to motor vehicle.

Councilwoman Hedgepath asked what are the neighboring towns doing about this? The Clerk said Dover has it on hold. There are a lot of towns that don't want it. Randolph hasn't done anything yet. I am hearing that they don't want it.

The Attorney said the ritzy towns don't want any part of this. The Clerk asked if we need to put anything in about loitering? We don't want people gathering outside the building. There will be security and that will be up to the applicant to provide and watch out for.

Motion to accept and put on file all reports by Councilwoman Cheatham, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

NEW BUSINESS:

CORRECTIVE ACTION PLAN - The Clerk said that everyone has a copy of this. If you are okay with it I need a motion on it and a roll call vote.

CORRECTIVE ACTION PLAN  
Borough of Victory Gardens  
2019 Audit

**RECOMMENDATION #1**

*Description:* Management initiates more involvement in the areas of collecting, Disbursing and recording to provide for a more adequate segregation of duties.

*Corrective Action:* The Borough Council and Management will review staffing and Duties to see if any changes can be made.

*Implementation:* Immediately

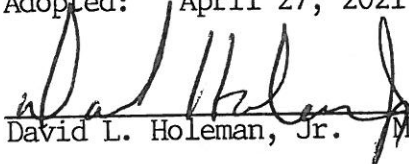
**RECOMMENDATION #2**

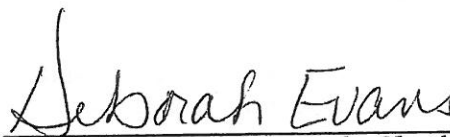
*Description:* Consideration be given to implementing accounting systems for Encumbrances and fixed assets, as prescribed in the New Jersey Administrative Code.

*Corrective Action:* The Borough during 2019 has upgraded the accounting system to a full general ledger, and there is no longer a recommendation to that effect. The encumbrance module for the software is being evaluated for implementation to eliminate that recommendation. Additionally, outside vendors are being considered for inventorying the fixed assets of the Borough so the inventory can be maintained moving forward by internal staff.

*Implementation:* Immediately

Adopted: April 27, 2021

  
David L. Holeman, Jr. Mayor

  
Deborah Evans, Borough Clerk

Motion was made to approve the Corrective Action Plan by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

OLD BUSINESS:

FINANCIAL DISCLOSURE STATEMENTS - Council is just reminded that the statements have to be filed by April 30, 2021.

**VOUCHER REPORTS**

Date of Council Meeting:  
April 27, 2021

<u>Voucher #</u>	<u>Payable to:</u>	<u>Type of Service</u>	<u>Amount</u>
4/20/2021	ATT	Utilities	47.21
4/21/2021	County of Morris - Dept. of Finance	County Taxes	53,311.87
4/22/2021	County of Morris - Treasurer	Open Space & Park Tax	1,584.18
4/23/2021	Deborah Evans - Petty Cash	Clerk OE	40.38
4/24/2021	Dover Board Of Education	School Taxes	92,746.67
4/25/2021	Feintuch, Porwich & Feintuch, ESQ	Legal Services OE	2,150.46
4/26/2021	Handyman's	Streets & Roads	51.48
4/27/2021	Home Depot	Clerk OE	45.61
4/28/2021	Interstate Waste Services, INC	Trash Removal	10,933.33
4/29/2021	JCP&L - #1 - Fire	Fire OE	176.39
4/30/2021	JCP&L - #2 - Main	Utilities	461.71
4/31/2021	JCP&L - #3 - Streets	Street Lighting	622.84
4/32/2021	Konica Minolta Business Solutions	Clerk OE	211.82
4/33/2021	MCAA - Morris Cty. Assess. Assoc.	Tax Assessor OE	195.00
4/34/2021	NJNG - #1 - Borough Hall	Utilities	759.00
4/35/2021	NJ Department of Envi. Protection	Road OE	1,050.00
4/36/2021	Optimum	Utilities	11.45
4/37/2021	Protective Measures Sec. & Fire	Bldgs. & Grnds.	174.50
4/38/2021	Rockaway Valley Reg. Sew. Auth.	RVRSa Share	10,608.00
4/39/2021	Staples	Finance OE	37.47
4/40/2021	The Hartford	Other Insurance	1,202.00
4/41/2021	Training Unlimited	Clerk OE	100.00
4/42/2021	WEX Bank - Shell Gas	Streets & Roads	541.77
4/43/2021	Verizon - #2 - 366-5312	Utilities	248.89
		<b>TOTAL</b>	<b>177,312.03</b>

**DEPARTMENT REPORTS:**

BUILDING DEPARTMENT - No permits issued for the month of April.

PROPERTY MAINTENANCE - Everyone has a copy of the report.

MUNICIPAL COURT - We received \$143.06 from the Court.

TAX COLLECTOR - Total Tax Receipts Month To Date: \$ 58,787.93  
" " " Year to Date: \$524,482.23

REGISTRAR - 1 marriage license issued for the month of April.  
\$28.00 collected

**COMMITTEE REPORTS:**

No Council reports at this time from any member of the Council.

April 27, 2021

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on April 27, 2021.

Mayor Holeman called the meeting to order and declared a quorum present.

Pledge of Allegiance to the Flag of Our Country.  
Please remain standing for a moment of silence for our military.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey open Public Meeting Act.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass (phone), Councilwoman Hedgepath, Councilwoman White (phone), Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: None

\*\*\* Attorney Feintuch was also present at this meeting.

Motion to accept the minutes of April 13, 2021 as received by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

CORRESPONDENCE:

COVID REPORT - As of April 19, 2021 we have 239 cases reported in Victory Gardens. No variants in the Borough. 5 Covid related deaths.

ZUFALL CLINIC - On Friday, April 23, 2021 Zufall Clinic was at the firehouse providing medical, dental screenings, and regular immunizations to 33 children.

Motion to accept the correspondence as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

VOUCHERS:

The Mayor asked if there were any questions on the vouchers? Hearing none the Mayor asked for Councils approval to pay the bills.

Motion to approve the voucehrs for payment by Councilman Lorenzo, seconded by Councilwoman Montes and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

(See Vouchers Next Page)